

1319863_1

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

CHARLES F. WARGO

v.

CBRE, INC., and RICHARD
SCHLEICHER

NO: 13-cv-

JURY TRIAL DEMANDED

CIVIL ACTION

COMPLAINT

PARTIES

1. Plaintiff Charles F. Wargo ("Plaintiff" or "Wargo") is an adult male individual who resides in Birmingham, Alabama.
2. Defendant CBRE, Inc. ("CBRE") is a business corporation headquartered in Santa Monica, California and regularly doing business in the Commonwealth of Pennsylvania at Two Liberty Place, Suite 3000, Philadelphia, Pennsylvania.
3. CBRE has, at all times relevant, been an enterprise engaged in interstate commerce which employed in excess of twenty employees for every day in the calendar year.
4. Defendant Richard Schleicher ("Schleicher") is an adult individual who regularly conducts business at Two Liberty Place, Suite 3000, 50 South 16th Street, Philadelphia, Pennsylvania.

JURISDICTION AND VENUE

5. This is an action under Title VII of the 1964 Civil Rights Act, 42 U.S.C. §2000e, et. seq., the Age Discrimination in Employment Act ("ADEA"), 29 U.S.C. §621 *et seq.*, and the Pennsylvania Human Relations Act ("PHRA"), 43 P.S. §955 *et seq.*

6. Jurisdiction of this Court is invoked pursuant to 42 U.S.C. §2000e-5, 29 U.S.C. §626(c)(1), 28 U.S.C. §§1331 and 1367.

7. Venue is proper in this district since the employment in question was located in this district and the acts giving rise to the claim occurred in this district, as required by 42 U.S.C. §2000e-5 and 28 U.S.C. §1391(b).

FACTS

8. Plaintiff was born in 1950.

9. Plaintiff was employed by CBRE from on or about March 2005 until February 28, 2012.

10. At all times during his employment with CBRE, Plaintiff was qualified for the job he held as Senior Real Estate Manager.

11. Schleicher was the Plaintiff's direct supervisor beginning in 2006.

12. During the period between the start of his said supervision and August, 2010, Schleicher made several statements to Plaintiff to the effect that he (Plaintiff) would be retiring soon and that he did not know why Plaintiff wanted to work at his age, and that the "future of CBRE is with twenty and thirty year old female employees."

13. During the same period and until the present, CBRE's Philadelphia office, under Schleicher's supervision, has hired new employees who are all substantially younger than Plaintiff, and overwhelmingly female and younger than 40.

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14. During the same period and until the present, Schleicher has authorized these younger employees to take training and had denied that training to older employees, including Plaintiff.

15. During the same period and until the present, Schleicher also refused to allow Plaintiff any administrative assistance until the client agreed to pay for it, although all other Senior Real Estate Managers working for him had it without that condition.

16. During the same period, Schleicher required Plaintiff to move his office several times without assistance, requiring him to pack up his things "and put them in [his] car."

17. In August, 2009, Schleicher confronted Plaintiff in the presence of Linda Applegate and threatened to fire him because his voicemail was full. During this meeting, Plaintiff reported Schleicher's statements about his age to Donna Hill of CBRE's Human Resources department.

18. On August 5, 2010, an attorney for the Plaintiff complained in writing to Donna Hill of age discrimination in his treatment by Schleicher and that this age discrimination reflected a preference for "twenty and thirty year old female employees."

19. During 2011, the Defendants initiated an investigation of Plaintiff, and accused him of misconduct because his name had been associated with his brother's business.

20. Thereafter, while continuing various of the other actions described previously, Schleicher accused the Plaintiff of causing a \$5,000 late fee from PECO, although he well knew the said accusation to be false.

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21. In December 2011, CBRE, in a meeting announced for an entirely different purpose, surprised the Plaintiff and attempted to get him to say there was something wrong with his conduct that would have led to his name being identified with his brother's company, all in an effort to establish a basis for taking adverse action against him.

22. CBRE then changed Plaintiff's reporting relationship so that his new supervisor had a lower level title, although he still reported up through Schleicher.

23. Plaintiff was terminated on February 28, 2012.

24. Schleicher aided and abetted CBRE in its adverse actions toward the Plaintiff.

ADMINISTRATIVE PREREQUISITES TO SUIT

25. Plaintiff filed a complaint alleging sex and age discrimination and retaliation against CBRE, a true copy of which is attached hereto as Exhibit A, with the Pennsylvania Human Relations Commission (PHRC), which was received by the agency on August 23, 2012 and assigned Docket Number 201200788.

26. The said complaint was cross filed as a charge with the Equal Employment Opportunity Commission (EEOC) on the same date, and assigned EEOC Charge Number 17F201261877.

27. On October 31, 2013, the EEOC issued a Notice of Right to Sue to the Plaintiff in regard to the said complaint and charge, a copy of which is attached hereto as Exhibit B.

CAUSES OF ACTION

COUNT I

Unlawful Discrimination Under Title VII

28. The averments of paragraphs 1 – 27 are incorporated by reference.

29. Defendants' actions constitute unlawful discrimination based upon Plaintiff's sex in violation of Title VII, 42 U.S.C. §2000e-2(a)(1).

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant legal and equitable relief against CBRE, including:

- a. injunctive relief against further acts of discrimination;
- b. back pay with interest;
- c. compensatory and punitive damages in an amount in excess of \$150,000; and
- d. reasonable attorneys' fees and costs.

COUNT II

Unlawful Discrimination under the ADEA

30. The averments of paragraphs 1-27 are incorporated herein by reference.

31. Defendant's actions constitute unlawful discrimination based upon Plaintiff's age in violation of the ADEA, 29 U.S.C. §631(a).

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant legal and equitable relief against CBRA, including:

- a. injunctive relief against further acts of discrimination;
- b. back pay with interest;
- c. an additional equal amount of back pay as liquidated damages;

- d. compensatory damages in an amount in excess of \$150,000.00; and
- e. reasonable attorneys' fees and costs.

COUNT III

Unlawful Discrimination in Violation of the PHRA, 43 P.S. §955

- 32. The averments of paragraphs 1 - 27 are incorporated herein by reference.
- 33. Defendant's actions constitute a violation of 43 P.S. § 955(a).

WHEREFORE, Plaintiff respectfully request that this Honorable Court grant legal and equitable relief against both defendants, including:

- a. injunctive relief against further acts of discrimination;
- b. back pay with interest;
- c. compensatory damages in an amount in excess of \$150,000.00; and
- d. reasonable attorneys' fees and costs.

COUNT IV

Unlawful Retaliation in Violation of Title VII

- 34. The averments of paragraphs 1 – 27 are incorporated by reference.
- 35. Defendants actions constitute a violation of 42 U.S.C. §2000e-3(a).

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant legal and equitable relief against CBRE, including:

- a. injunctive relief against further acts of discrimination;
- b. back pay with interest;
- c. compensatory and punitive damages in an amount in excess of \$150,000; and
- d. reasonable attorneys' fees and costs.

COUNT V

Unlawful Retaliation in Violation of the ADEA

33. The averments of paragraphs 1-27 are incorporated herein by reference.

34. Defendant's actions were unlawful retaliation in violation of the ADEA, 29 U.S.C. §623(d).

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant legal and equitable relief, including:

- a. injunctive relief against further acts of discrimination;
- b. back pay with interest;
- c. an additional equal amount of back pay as liquidated damages;
- d. compensatory damages in an amount in excess of \$150,000.00; and
- e. reasonable attorneys' fees and costs.

COUNT VI

Unlawful Retaliation in Violation of the PHRA, 43 P.S. §955

35. The averments of paragraphs 1 - 27 are incorporated herein by reference.

36. Defendant's actions constitute a violation of 43 P.S. § 955(d).

WHEREFORE, Plaintiff respectfully request that this Honorable Court grant legal and equitable relief, including:

- a. injunctive relief against further acts of discrimination;
- b. back pay with interest;
- c. compensatory damages in an amount in excess of \$150,000.00; and

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d. reasonable attorneys' fees and costs.


By: 
William T. Wilson (ID #41793)
MacELREE HARVEY, LTD.
17 West Miner Street
West Chester, PA 19382
(610) 436-0100
Attorney for Plaintiff

Exhibit A

1031437

Received

AUG 23 2012

PA Human Relations Commission
Philadelphia Regional Office

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

CHARLES F. WARGO,

COMPLAINANT

v.

PHRC DOCKET NO: 201200788

EEOC CHARGE NO: 17F201261877

CBRE, INC.; and RICHARD
SCHLEICHER and SAM DELISI
RESPONDENT

COMPLAINT

1. The complainant is:

Charles F. Wargo
138 Barcladen Road
Rosemont, PA 19010

2. The first respondent herein is:

CBRE, Inc.
2100 Ross Avenue, Suite 1600
Dallas, TX 75201

3. The second respondent herein is:

Richard Schleicher
CBRE, Inc.
Two Liberty Place, Suite 3000
50 S. 16th Street
Philadelphia, PA 19102

4. The third respondent herein is:

523316

Samuel Delisi
CBRE, Inc.
311 S. Wacker Drive, Suite 400
Chicago, IL 60606

I allege the respondents violated § 5 of the Pennsylvania Human Relations Act, as follows:

5. I was employed as Senior Real Estate Manager by the respondent CBRE, Inc (CBRE) in Philadelphia beginning in March 2005. I am 62 years old.
6. Respondent Richard Schleicher (Schleicher) was my direct supervisor beginning in 2006. Respondent Samuel Delisi (Delisi) was his supervisor.
7. During the period between the start of his said supervision and August, 2010, Schleicher made several statements to me to the effect that I would be retiring soon and that he did not know why I wanted to work at my age, and that the "future of CBRE is with twenty and thirty year old female employees.
8. During the same period and until the present, CBRE's Philadelphia office, under Schleicher and Delisi's supervision, has hired new employees who are all substantially younger than I am, and overwhelmingly female and younger than 40.
9. During the same period and until the present, Schleicher has authorized these younger employees to take training and has denied that training to older employees, including me.
10. During the same period and until the present, Schleicher also refused to allow me any administrative assistance until the client agreed to pay for it, although all other Senior Real Estate Managers working for him had it without that condition.
11. During the same period, Schleicher required me to move my office several times without assistance, requiring me to pack up my things "and put them in [my] car."
12. In August, 2009, Schleicher confronted me in the presence of Linda Applegate and threatened to fire me because my voicemail was full. During this meeting, I

523316

- reported Schleicher's statements about my age to Donna Hill of CBRE's Human Resources department.
13. On August 5, 2010, my attorney, Joyce Collier, complained in writing to Donna Hill of age discrimination in his treatment by Schleicher.
 14. During 2011, after I revealed instances of bid rigging by Schleicher, Delisi initiated an investigation of me, and accused me of misconduct because my name had been associated with my brother's business.
 15. Thereafter, while continuing various of the other actions described previously, Schleicher attempted to make me responsible for a \$5,000 late fee from PECO, although he well knew the said fee to be in error, and CBRE does not normally pass on such liabilities to employees even if they are not in error.
 16. In December 2011, CBRE closed its investigation of the bid rigging but, in a surprise meeting, attempted to get me to say there was something wrong with my conduct that would have led to my name being identified with my brother's company in an effort to establish a basis for taking adverse action against me.
 17. CBRE then changed my reporting relationship so that my new supervisor had a lower level title, although I still reported up through Schleicher.
 18. I was terminated on February 28, 2012.
 19. The actions of Schleicher and Delisi aided and abetted CBRE in terminating me.

COUNT I - AGE DISCRIMINATION

20. I believe my termination was because of my age.

COUNT II - GENDER DISCRIMINATION

21. I believe my termination was because of my gender.

COUNT III - RETALIATION


523316

22. I believe my termination was in retaliation for my complaints, including the one sent by my attorney and those I made myself, about age discrimination.

I hereby request that the respondent be required to provide all appropriate remedies under Section 9 of the Pennsylvania Human Relations Act.

I hereby verify that the statements contained in this complaint are true and correct to the best of my knowledge, information and belief. I understand that statements herein are made subject to the penalties of 18 Pa. C. S. Section 4904 relating to unsworn falsification to authorities.

8 - 17 - 12
(Date signed)



CHARLES F. WARGO
(Complainant signature)

Exhibit B

EEOC Form 161-B (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOV 04 2013

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Charles Wargo
138 Barcladen Road
Rosemont, PA 19010

From: Philadelphia District Office
801 Market Street
Suite 1300
Philadelphia, PA 19107



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

17F-2012-61877

Legal Unit

(215) 440-2828

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)



More than 180 days have passed since the filing of this charge.



Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.



The EEOC is terminating its processing of this charge.



The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:



The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice**. Otherwise, your right to sue based on the above-numbered charge will be lost.



The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Spencer H. Lewis, Jr.
District Director

10/31/13

(Date Mailed)

Enclosures(s)

cc: William T. Wilson, Esquire, Counsel for Charging Party

James A. Keller, Esquire, Counsel for CBRE, Inc.

cc: William T. Wilson, Esquire, Esq.
MacElree Harvey, Ltd.,
17 West Miner S Post Office Box 600
West Chester, PA 19381

James A. Keller, Esquire
Saul Ewing, LLP
Centre Square West
1500 Market Street, 38th Floor
Philadelphia, PA 19102-2186

CBRE INC

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
CHARLES F. WARGO**DEFENDANTS**
CBRE, INC. and
RICHARD SCHLEICHER(b) County of Residence of First Listed Plaintiff Montgomery
(EXCEPT IN U.S. PLAINTIFF CASES)County of Residence of First Listed Defendant Philadelphia
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.(c) Attorneys (Firm Name, Address, and Telephone Number)
WILLIAM T. WILSON, MacELREE HARVEY, LTD.
17 W. MINER ST., P.O. BOX 660, WEST CHESTER, PA 19381-0660
(610) 436-0100

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
 Title VII of the 1964 Civil Rights Act, 42 USC Sec. 2000e, et seq; ADEA, 29 USC Sec. 623(d)

Brief description of cause:

Age and gender discrimination; retaliation

VII. REQUESTED IN COMPLAINT:
☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P

 DEMAND \$
 150,000.00

 CHECK YES only if demanded in complaint:
 JURY DEMAND: ☒ Yes ☐ No
VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 138 Barcladen Road, Rosemont, PA

Address of Defendant: Two Liberty Place, Suite 3000, Philadelphia, PA

Place of Accident, Incident or Transaction: Philadelphia, PA

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☒ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases
(Please specify) _____

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify) _____

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, William T. Wilson, counsel of record do hereby certify:

☒ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

☒ Relief other than monetary damages is sought.

DATE: 12-17-13


Attorney-at-Law

41793

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 12-17-13


Attorney-at-Law

41793

Attorney I.D.#

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

CHARLES F. WARGO

CIVIL ACTION

v.

CBRE, INC. and
RICHARD SCHLEICHER

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

12-12-13
Date


Attorney-at-law

William T. Wilson
Attorney for Plaintiff

(610) 436-0100

(610) 430-7885

wwilson@macelree.com

Telephone

FAX Number

E-Mail Address